

REMARKS

Upon entry of the present amendment, claims 1-2, 4-15 and 17-21 remain pending in the above-identified application. Claims 1, 4-5, 11-12, and 21 are under examination. Remaining claims 2, 6-10, 13-15 and 17-20 stand withdrawn from consideration based on an earlier election of species requirement of the Examiner.

Claim Amendments

By this amendment, claim 1 is amended to more clearly define the structure of the wing portions. Support for this amendment resides at least at Figure 1 and the discussion at pages 3-4 of the specification. New claim 21 is added, support for which resides in Figure 1 and page 5 of the specification. No new matter is added by this amendment.

Interview with Examiner

Applicants thank the Examiner for the courtesy extended toward their representative during the interview of February 9, 2006. During the interview, those distinctions that exist between the claimed invention and the cited prior art were discussed. Possible amendments to claim 1 were also discussed which were believed to assist in distinguishing over the cited prior art. No agreement was reached during the interview.

Claim Rejection Under 35 USC § 102

Claims 1, 5 and 11-12 stand rejected under 35 USC § 102(b) as anticipated by GB 2,276,552. This rejection respectfully is traversed to the extent deemed to apply to the claims as amended.

The GB '552 reference is directed to a sanitary napkin having flaps 20 (Figure 1) extending outwarding from a centrally-disposed portion of the napkin. The reference states at page 6, lines 1-7 that the "flaps 20 are formed by expanding the backsheet 2 outwardly at generally longitudinally central areas from opposite side edge portions of the central absorbent portion 10." Claim 1 of the reference also states that the flaps extend "from opposite side portions of a central absorbent portion".

The cited GB '552 reference fails to disclose or suggest the claimed invention.

A characteristic feature of the present invention resides in the presence of rearwardly disposed "left and right wing portions", which have a liquid retentive wing portion absorbent core.

The rear wing portions cover the shorts of the wearer in the wider range, when the napkin is attached to the shorts, thereby preventing blood from leaking to the rear side. The Examiner's attention is directed to page 10, lines 8-10 of the instant specification in this regard.

The rear wing portions of the present invention are characterized by low diffusion or dispersibility of liquid, since

the rear wing portions serve a supplemental function to the body absorbent core.

In the present invention, the absorptive area is used to correspond to the degree of liquid diffusion or dispersibility (i.e., a lower absorptive area means lower liquid diffusion). Thus, in the claimed sanitary napkins, the rear wing portion absorbent core has a low liquid diffusion, i.e., an absorptive area of 80 cm² or less, in order to prevent body fluids from unduly diffusing over the rear wing portion and thereby prevent leakage. See page 6, lines 19-27, particularly lines 25-27; and page 8, lines 5-21, particularly 16-21 of the instant specification.

There is no disclosure or suggestion in the GB '552 reference regarding the presence of rearwardly disposed wing portions, nor any disclosure or suggestion of any reduced liquid diffusion of rear wing portions. Given the teachings of GB '552, there is also no motivation for one of ordinary skill in the art to arrive at the claimed invention in view of the teachings of the reference.

Consistent with the discussions with the Examiner during the interview, claim 1 is amended to clarify that the left and right wing portions extend along the entire length of the elongate absorbent body. This is clearly in contrast to the teachings of the reference, wherein the wing portions extend only from a centrally-disposed portion of the body.

While no agreement was reached during the interview on this point, the Examiner did indicate that such an amendment would assist in distinguishing over the teachings of the reference.

It was further pointed out during the interview (and believed appreciated by the Examiner) that the wing portions of the claimed invention serve a function distinct from that of the wing portions 20 of the cited reference. It is taught at pages 6-7 of the reference that the wing portions 20 are essentially embossed non-absorbent films. Such films, in direct contrast to the wing portions of the claimed invention, serve no absorbent function.

The claimed invention (as defined by the amended claims) is accordingly not anticipated by the reference, and the rejection should be withdrawn.

Claim Rejection Under 35 USC § 103(a)

Claim 4 stands rejected under 35 USC 103(a) as being unpatentable over GB '552. This rejection respectfully is traversed to the extent deemed to apply to the claims as amended.

Claim 1, from which claim 4 depends, has been amended in a manner believed to patentably distinguish over the cited reference. As the embodiment of claim 1 is neither disclosed nor suggested by the cited reference, claim 4, which incorporates the limitations of

claim 1, accordingly also patentably distinguishable over the reference.

Also, because the cited reference provides no motivation to arrive at the instant invention as claimed, it cannot provide a proper basis for supporting a *prima facie* obviousness rejection of the claims under 35 USC § 103(a).

The rejection is thus without basis and should be withdrawn.

The application is accordingly believed to be in condition for allowance, and an early indication of same earnestly is solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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